

Fill in this information to identify your case:

United States Bankruptcy Court for the:

CENTRAL DISTRICT OF CALIFORNIA

Case number (if known)

Chapter 11

☐ Check if this an
amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/19

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name 239 Carnation LLC, a Texas limited liability company
2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names
3. Debtor's federal Employer Identification Number (EIN) 47-5489630
4. Debtor's address
- | Principal place of business | Mailing address, if different from principal place of business |
|---|--|
| <u>3857 Birch Street, Suite 350</u>
<u>Newport Beach, CA 92660</u>
Number, Street, City, State & ZIP Code | <u>P.O. Box, Number, Street, City, State & ZIP Code</u> |
| <u>Orange</u>
County | <u>Location of principal assets, if different from principal place of business</u>
<u>239 Carnation Avenue Corona Del Mar, CA 92625</u>
Number, Street, City, State & ZIP Code |
5. Debtor's website (URL) _____
6. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: _____

Debtor **239 Carnation LLC, a Texas limited liability company**
Name

Case number (if known)

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check all that apply.

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	_____	Relationship	_____
District	_____	When	_____
		Case number, if known	_____

Debtor **239 Carnation LLC, a Texas limited liability company**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☒ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☒ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor 239 Carnation LLC, a Texas limited liability company
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 31, 2020
MM / DD / YYYY

X 
Signature of authorized representative of debtor

Steve Perkins
Printed name

Title Member

18. Signature of attorney

X /s/ JEFFREY I. GOLDEN
Signature of attorney for debtor

Date March 31, 2020
MM / DD / YYYY

Jeffrey I. Golden 133040
Printed name

WEILAND GOLDEN GOODRICH LLP
Firm name

650 Town Center Drive
Suite 600
Costa Mesa, CA 92626
Number, Street, City, State & ZIP Code

Contact phone (714) 966-1000 Email address jgolden@wglp.com

133040 CA
Bar number and State

Fill in this information to identify the case:

Debtor name 239 Carnation LLC, a Texas limited liability company

United States Bankruptcy Court for the: CENTRAL DISTRICT OF CALIFORNIA

Case number (if known) _____

☐ Check if this is an
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Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.


I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 31, 2020

X


Signature of individual signing on behalf of debtor

Steve Perkins

Printed name

Member

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **239 Carnation LLC, a Texas limited liability company**
United States Bankruptcy Court for the: **CENTRAL DISTRICT OF CALIFORNIA**
Case number (if known): _____

☐ Check if this is an
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Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Fineline Architectural Millwork FitzGerald Yap Kreditor LLP 2 Park Plaza, Suite 850 Irvine, CA 92614		Services				\$186,824.92
SoCal Stairs 15337 Allen Street Paramount, CA 90723		Services				\$109,772.80
Keegan's Concrete, Inc. 990 W. 17th Street Costa Mesa, CA 92627		Services				\$105,283.50
Nationwide Lifts 10 Holden Avenue, Suite B Queensbury, NY 12804		Services				\$50,900.00
Coast Sheet Metal, Inc. 990 W. 17th Street Costa Mesa, CA 92627		Services				\$46,459.05
Kirby Industries, Inc. 2109 S. Lyon Street Santa Ana, CA 92705		Services				\$20,758.00
Bob Electric, Inc. 1539 Monrovia, #7 Newport Beach, CA 92663		Services				\$16,750.00

Debtor **239 Carnation LLC, a Texas limited liability company**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Shawn Brown Painting, Inc. 12783 Newhope Street Garden Grove, CA 92840		Services				\$11,575.00
Creative Design Plumbing, Inc. 17271 Argo Circle Huntington Beach, CA 92647		Services				\$7,101.00
Orange County Scaffold, Inc. 121 E. Meats Avenue Orange, CA 92865-3309		Services				\$4,460.00
Gs SoilWorks c/o Tucker Albin & Associates 350 Fisher Avenue Front Costa Mesa, CA 92626		Services				\$0.00

Jeffrey I. Golden
WEILAND GOLDEN GOODRICH LLP
650 Town Center Drive
Suite 600
Costa Mesa, CA 92626

239 Carnation LLC, a Texas limited liability company
3857 Birch Street, Suite 350
Newport Beach, CA 92660

Athey Investments, Inc.
56000 Argosy Circle, Suite 300
Huntington Beach, CA 92649

Bob Electric, Inc.
1539 Monrovia, #7
Newport Beach, CA 92663

Bridge Loan Financial, Inc.
500 Newport Center Drive, Suite 570
Newport Beach, CA 92660

California TD Specialists
8190 E. Kaiser Blvd.
Anaheim, CA 92808-2215

Coast Sheet Metal, Inc.
990 W. 17th Street
Costa Mesa, CA 92627

Creative Design Plumbing, Inc.
17271 Argo Circle
Huntington Beach, CA 92647

Fineline Architectural Millwork
FitzGerald Yap Kreditor LLP
2 Park Plaza, Suite 850
Irvine, CA 92614

Franchise Tax Board
P.O. Box 2952
Sacramento, CA 95812-2950

Gerald K. Carroll, Esq.
Burham Brown
1901 Harrison Street, Suite 1400
Oakland, CA 94612-3523

Gs SoilWorks
c/o Tucker Albin & Associates
350 Fisher Avenue Front
Costa Mesa, CA 92626

John Balmer Family Trust
28471 Borgona
Mission Viejo, CA 92692

Keegan's Concrete, Inc.
990 W. 17th Street
Costa Mesa, CA 92627

Kirby Industries, Inc.
2109 S. Lyon Street
Santa Ana, CA 92705

Mola Builders, Inc.
21370 Andalucia Lane
Huntington Beach, CA 92648

Nationwide Lifts
10 Holden Avenue, Suite B
Queensbury, NY 12804

Orange County Scaffold, Inc.
121 E. Meats Avenue
Orange, CA 92865-3309

Orange County Tax Collector
PO BOX 1438
Santa Ana, CA 92702-1438

Riviera Capital Group, LLC
825 Berkeley Street
Santa Monica, CA 90403

Shawn Brown Painting, Inc.
12783 Newhope Street
Garden Grove, CA 92840

SoCal Stairs
15337 Allen Street
Paramount, CA 90723

Steve Perkins
3857 Birch Street, Suite 350
Newport Beach, CA 92660

Vanessa Ryder
3773 Berry Drive
Studio City, CA 91604

Vince Mola
21370 Andalucia Lane
Huntington Beach, CA 92648

Willow Run Equity Capital, Inc
500 Kings Place
Newport Beach, CA 92663